



THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

ZACHARY W. CARTER
Corporation Counsel

ANGHARAD K. WILSON
Assistant Corporation Counsel
Phone: (212) 356-2572
Fax: (212) 356-3509
awilson@law.nyc.gov

September 12, 2016

BY ECF

Honorable Vera M. Scanlon
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Derrick Hamilton v. City of New York, et al., 15 CV 05182

Your Honor:

I am an Assistant Corporation Counsel assigned to the defense of this matter on behalf of the City of New York, Detective DeLouisa, and Detective Investigator Ponzi. I am writing on behalf of the New York City defendants, Detective Scarcella, and plaintiff to jointly request an extension of ten days of the time by which the parties were to submit a letter to the Court from September 12, 2016 to September 22, 2016 outlining any outstanding “Scarcella related” discovery disputes. Counsel for the New Haven defendants consents to this request. There is a conference scheduled to take place before Your Honor on September 27, 2016. This is the first request for an extension of this deadline. This extension is being requested because the parties are still in the process of reviewing and producing the relevant documents.

Since the prior conference on July 12, 2016, City defendants have produced approximately 500 pages of personnel files of Louis Scarcella related to his employment by the NYC Special Commissioner of Investigation and the NYC Board of Education Office of Special Investigations. Additionally, plaintiff’s counsel has identified the files of four IAB investigations that relate to Detective Scarcella. Files concerning these investigations have been received and reviewed by the City, and are currently being reviewed by counsel for Detective Scarcella, as was ordered by the Court at the last conference. Additionally, plaintiff provided the City with three 160.50 releases for memoranda from the Conviction Review Unit of the Kings County

District Attorney's Office. City defendants plan to produce KCDA memoranda by the middle of next week.

The parties have also been conducting and scheduling depositions. The deposition of one non-party witness who resides in Connecticut was complete, and the deposition of a second non-party witness who resides in Connecticut was begun, but was interrupted when the witness left. It appears that the witness will appear voluntarily and counsel are in the process of rescheduling that date. Finally, there are three depositions of non-parties that are scheduled to take place in North Carolina on September 12th and 13th, which will require significant attention by the parties.

The parties do not anticipate that the proposed extension of time will affect any other deadlines.

Thank you for your consideration of this matter.

Respectfully submitted,

/s/

Angharad Wilson
Assistant Corporation Counsel

cc: All counsel of record via ECF